Attorney's Docket No.: 10964-043001
Client's Ref. No.: Case 629

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Number of pages including this page 4

Applicant : Prathap Haridoss et al.
Serial No. : 09/727,748
Filed : November 30, 2000

Art Unit : 1745
Examiner : Gregg Cantelmo

Title : FUEL CELL ELECTRODE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is the Reply to Action of June 13, 2005, with corresponding Return Postcard, faxed this 10 day of January, 2006, to the United States Patent and Trademark Office.

Respectfully submitted,

Date: January 10, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Prathap Haridoss et al.
Serial No. : 09/727,748
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Examiner : Unknown

Mail Stop Amendment
Commissioner for Patents
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REPLY TO ACTION OF JUNE 13, 2005

In reply to the Office Action of June 13, 2005, Applicants request consideration of the following remarks. Claims 1-5, 21-22 and 25-32 are pending in this application.

The Examiner rejected claims 1-5, 21-22 and 25-32 under 35 U.S.C. §102(b) as being anticipated by Breault, US 4,017,663 ("Breault"). However, Breault does not disclose the compositions covered by these claims.

The claims cover fuel cell anode compositions that include two components: 1.) a catalyst portion; and 2.) a non-electrolytic material/binder that includes a copolymer of tetrafluoroethylene and hexafluoropropylene. The catalyst portion of the composition makes up 75-95 weight percent of the composition, with the balance of the composition being the non-electrolytic material/binder.

In contrast, Breault discloses electrodes that include: 1.) carbon paper impregnated with a polymer; and 2.) a catalyst-polymer layer. (Breault col. 2, line 33-col. 3, line 9.) As would be clear to one skilled in the art, both these constituents together form Breault's electrode, not simply one constituent or the other. Thus, when calculating the weight percentage of catalyst in

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September 6, 2005
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Denise M. Donahue
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Breault's electrode, the Examiner should consider the combined weight of both constituents of the electrode (i.e., both the polymer impregnated carbon paper and the catalyst-polymer layer) – it is simply improper for the Examiner to rely on the disclosed weight percentage of catalyst in Breault's catalyst-polymer layer alone as being the weight percentage of catalyst in Breault's electrode. Indeed, the only place where Breault discloses the use of a perfluorinated ethylene propylene copolymer is with respect to the first constituent (i.e., the polymer impregnated carbon paper). (Id. col. 2, lines 35-60.) But, Breault does not disclose the relative amounts of the first and second constituents (polymer impregnated carbon paper and catalyst-polymer layer, respectively) that form his electrode. As a result, it is not possible to calculate the weight percentage of catalyst in Breault's electrode. Hence, it cannot be fairly stated that Breault discloses the compositions covered by claims 1-5, 21-22 and 25-32, and Applicants therefore request reconsideration and withdrawal of the rejection of these claims.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 9/6/05

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Title of the Invention FUEL CELL ELECTRODE			
Applicant Prathap Haridoss et al.			
Client Reference No. Case 629			
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